



Members of the LTAA Legislative Committee:

Attached for your review is a comprehensive list of bills we are tracking for the LTAA. We will be having a Legislative Committee conference call next **Monday (February 10) at 10:00 a.m.** Tyler Newlon is setting up a GoToMeeting and will be sending out dial-in info. In the meantime, please let me know if you see any red flags that may require more immediate discussion.

In particular, please take a look at the following bills:

- [HB 2092 \(federal government; land acquisition; consent\)](#): It remains unclear what the sponsor, Representative Mark Finchem, is seeking to accomplish with this legislation. It passed out of the House Federal Relations Committee, [as amended](#). You can watch the hearing in the [here](#) (HB 2092 starts right around 58:22). This explicitly applies to the sale of private property to the federal government—it would be helpful to know how frequently, if at all, this scenario comes up in the title industry (specific examples and potential consequences of this legislation would be very helpful).
- [HB 2138 \(common law marriage confirmation; caregivers\)](#): Some questions regarding possible unintended consequences of the legislation have been raised, particularly as to how this would impact the laws of intestacy. The bill will either be heard next Wednesday or the following week—if necessary, we still have time to meet with the sponsor, Representative Jay Lawrence, regarding an amendment to address our concerns.
- [HB 2445 \(right to redeem; lien; sale\)](#): This bill has been getting quite a bit of attention. As drafted, it is going to require a sale of the property, after the sale of the certificate, then the foreclosure of the right to redeem is extinguished—a significant departure from the historical process, and one that would probably terminate all investment in tax certificates. From what I've gathered, it appears that Pacific Legal Foundation (a right-wing interest group) is the ideological backer of the bill. The Maricopa County Treasurer's Office is actively pushing for it but the other 14 county treasurers have significant concerns and the Arizona Association of Counties (AACo) is opposing. As expected, the tax lien investors are strongly opposed. I don't believe any other groups are actively engaged on the issue (yet). While HB 2445 doesn't appear to have much

traction, a similar but more narrowly focused bill, [SB 1099 \(tax deed land sales; proceeds\)](#), passed out of committee. As currently drafted, SB 1099 requires county treasurers to pay any excess proceeds from a tax deeded real property sale to the former property owner. Theoretically, it could still be amended to include language from HB 2445.

- [HB 2099 \(property tax; mobile homes; delinquency\)](#): The bill sponsor, Representative Gail Griffin, introduced the legislation after a veteran in her district was 30 days late on his property taxes and evicted when the sheriff sold the property. The bill was [amended](#) in the House Ways & Means Committee to reflect a compromise with the counties that reduces the window of delinquency down to one year and adds a six-month redemption period.
 - For those with particular interest in legislation concerning mobile homes, please also take a look at [HB 2126 \(mobile homes; property tax; collection\)](#) and [HB 2151 \(property tax; mobile homes; delinquency\)](#). Neither appear to be moving, but flagging for review in case language from either bill resurfaces as an amendment.

A few additional updates:

- [SB 1226 \(revised uniform law; notarial act\)](#): Earlier this week, we had a productive call with the lobbyist representing the ULC as well as the SOS to walk through the language and any conflicts with the legislation we ran last year. The ULC lobbyist has agreed to remove any provisions that would impact the effective date of our rules. The bill will not be heard in committee until we are comfortable with the language. More to come.
- [HB 2065 \(recorder; recording fees; lien fees\)](#): The Arizona Association of Chiropractic is moving forward with efforts to seek an exemption for one-page medical liens from the \$30 flat recording fee and has garnered support from a large association representing hospitals. While this does not directly impact the title industry, the imminent ripple effect of other groups seeking special carveouts will ultimately force counties to revisit recording fees. We have participated in initial discussions with the bill sponsor to express the LTAA's concerns—we will continue to support the Association of Counties (AACo) and provide assistance as appropriate. Unless the sponsor holds his bill, it is likely to pass out of the House Government Committee.

Lastly, please be sure to mark your calendars for our **LTAA Legislative Day at the Capitol** on **Tuesday, March 10**. More info to come.

Looking forward to catching up with you all next week.

Lauren

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